

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

MADISON DUCO
Claimant

APPEAL NO. 22A-UI-05788-JT-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 03/15/20
Claimant: Appellant (1)

Iowa Code Section 96.3(7) - Overpayment

STATEMENT OF THE CASE:

On March 3, 2022, Madison Duco (claimant) filed a timely appeal that Iowa Workforce Development treated as an appeal from the March 4, 2022 (reference 04) decision that held the claimant was overpaid \$4,290.00 in regular state benefits for 11 weeks between March 15, 2020 and May 30, 2020, due to an earlier decision that disqualified her for regular benefits based on a voluntary quit from Menard, Inc. After due notice was issued, a hearing was held on April 15, 2022. Claimant participated. There were three appeal numbers set for a consolidated hearing: 22A-UI-05784-JT-T, 22A-UI-05788-JT-T, and 22A-UI-05790-JT-T. Exhibit A, the March 3, 2022 online appeal, and Exhibit B, the March 8, 2022 online appeal were received into evidence. The administrative law judge took official notice of the following Agency administrative records: the four Benefits Bureau decisions, DBIN, KPYX, KPY1, KCCO, the PUA decision, and the reference 01 fact-finding materials.

ISSUE:

Whether the claimant was overpaid \$4,290.00 in regular state benefits for 11 weeks between March 15, 2020 and May 30, 2020, due to an earlier decision that disqualified her for regular benefits based on a voluntary quit from Menard, Inc.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

The claimant, Madison Duco, established an original claim for benefits that was effective March 15, 2020. Iowa Workforce Development set a \$390.00 weekly benefit amount for regular benefits. The claimant received \$4,290.00 in regular benefits for 11 weeks between March 15, 2020 and May 30, 2020. Based on the claimant's receipt of regular benefits, the claimant also received \$600.00 in weekly Federal Pandemic Unemployment Compensation (FPUC) benefits for each of the nine weeks between March 29, 2020 and May 30, 2020. The FPUC benefits paid in connection with the payment of regular benefits totaled \$5,400.00.

On March 1, 2021, Iowa Workforce Development Benefits Bureau entered a reference 01 decision that disqualified the claimant for benefits, based on the deputy's conclusion that the

claimant voluntarily quit employment with Menard, Inc. on January 8, 2020 without good cause attributable to the employer. The reference 01 decision prompted the overpayment decision from which the claimant appeals in the present matter. The reference 01 disqualification decision has been affirmed in Appeal Number 22A-UI-05784-JT-T.

On March 15, 2021, Iowa Workforce Development issued a decision that allowed \$403.00 in Pandemic Unemployment Assistance (PUA) benefits for the period beginning March 15, 2020. On March 16, 2021, IWD issued a \$4,433.00 lump sum payment of PUA benefits to the claimant for the 11 weeks between March 15, 2020 through May 30, 2020. In connection with the payment of PUA benefits, Iowa Workforce Development on March 16, 2021 issued a \$5,400.00 lump sum payment of FPUC benefits to the claimant for the nine weeks between March 29, 2020 through May 30, 2020.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3(7) provides, in pertinent part:

7. Recovery of overpayment of benefits.
 - a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, even though the individual acts in good faith and is not otherwise at fault, the benefits shall be recovered. The department in its discretion may recover the overpayment of benefits either by having a sum equal to the overpayment deducted from any future benefits payable to the individual or by having the individual pay to the department a sum equal to the overpayment.

Because reference 01 decision disqualified the claimant for regular benefits and has been affirmed on appeal, the \$4,290.00 in regular state benefits the claimant received for 11 weeks between March 15, 2020 and May 30, 2020 is an overpayment of benefits. The claimant must repay the overpaid regular benefits.

DECISION:

The March 4, 2022 (reference 04) decision is AFFIRMED. The claimant was overpaid \$4,290.00 in regular state benefits for 11 weeks between March 15, 2020 and May 30, 2020, due to the reference 01 decision that disqualified her for regular benefits. The claimant must repay the overpaid regular benefits.



James E. Timberland
Administrative Law Judge

May 3, 2022
Decision Dated and Mailed

jet/mh